



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 12.4

Subject: Release from Custody of Dependent and Neglected Youth at Age Eighteen

supersedes: none

Approved by:  **Effective date:** November 15, 1996

Application

To all Department of Children's Services Case Managers

Authority: TCA 37-5-112; 37-1-173

Policy

All dependent and neglected youth in state custody shall be released from state custody when they reach age 18 by operation of law. These young adults may continue to receive services from the department if they meet specific criteria listed below. Mentally retarded, mentally ill, and physically disabled persons who reach the age of 18 shall continue to receive services from DCS until they make a transition into a permanent adult living situation.

Procedures

- A. Evaluate** The case manager in the home county or the residential case manager must confer with the young adult and evaluate his/her need and desire to continue to receive services using the following criteria.
- B. Criteria** Young adults (*except for those who are physically or mentally handicapped*) must meet all four of the following criteria to continue to receive services.

1. Education

One of the following must apply:

- a) The young adult is enrolled in high school or college and

- b) is expected to graduate.
- c) The young adult is enrolled in an alternative education plan including vocational training or a job training program.
- d) The young adult is enrolled in a G.E.D. preparation program that meets on a regular basis and has a definite time frame for taking the test.

2. Employment

The young adult works at least part-time. Full-time students who do not work during the school year must be employed during the summer. Young adults may be exempt from the employment requirement with the approval of the Regional Administrator.

3. Agreement

The young adult agrees, voluntarily, without coercion, to continue to receive services and to abide by the rules of the placement resource.

4. Plan

The young adult engages in a time-limited plan to establish independence.

C. Explain rights and responsibilities

The case manager must explain the Rights and Responsibilities at Age 18 form, (CS-0488), to the young adult and obtain his/her signature on this document. The young adult may not continue to receive services until that document is signed.

D. Justify

For all young adults who wish to continue to receive services, the case manager must complete the Justification for Services form (CS-0489). The form must be approved by the local supervisor, and a copy of the approved form must be sent to the Regional Administrator and to the Director of Field Operations in Central Office.

E. Re-evaluate

The case manager must re-evaluate the status of each young adult at least every 6 months to monitor progress in moving out of DCS.

F. Release

1. New living quarters

If the young adult does not meet the criteria to receive services or does not desire to continue to receive services, then he/she must establish another living arrangement.

2. Discharge plans

The home county case manager or the residential case manager must discuss discharge plans with the young adult

and refer him/her to other agencies or resources as needed.

3. Closure information

When the young adult leaves the paid residential resource, the home county case manager and the residential case manager must close the case and enter the closure information on the computer system within 48 hours of the young adult's departure.

Forms

CS-0488 Rights and Responsibilities at Age 18

CS-0489 Justification for Services

Collateral Documents

None

Standards

None

Department of Children's Services
RIGHTS AND RESPONSIBILITIES AT AGE 18

NAME: _____

DOB: _____

DCS Case Manager: _____

County: _____

Please read each of the following statements carefully and discuss any question you may have with your DCS Case Manager. Please make a check next to each statement to show that you have read it and understand it.

- ☐ 1. In order to assist you in meeting your education and employment goals, DCS may provide residential services (including a place to live, food, and clothing) for you until you are age 21.
- ☐ 2. If you receive services beyond your 18th birthday, you are accepting these services voluntarily. It is a privilege to receive these services, not a right.
- ☐ 3. You do not have to continue to accept services unless you have been committed to care for delinquent acts and the court has ordered that you stay in custody until age 19.
- ☐ 4. You can legally sign documents and enter into contracts for yourself. You must consent to your own medical care.
- ☐ 5. Before you were 18, DCS entered into a plan with your parents to achieve certain goals. If you continue to receive our services, you must enter into a plan with DCS to achieve your educational and employment goals.
- ☐ 6. If you want to receive DCS services past your 18th birthday, you must have an education plan. This means you must be in school, a GED program, a vocational training program, or a job training program.
- ☐ 7. If you continue to receive services, you must live in a foster home, group home, or some other place that DCS approves. Some Independent Living programs have supervised and supported apartment living programs for young adults. If you are going to college, you may be able to stay on campus as long as there is a way to pay for your campus stay.
- ☐ 8. You must abide by the rules established by the home or group home you reside in or the rules established by the agency that supervises you if you are in an apartment or college setting. These rules will likely include a curfew, no use of drugs or alcohol, and other guidelines for your behavior.
- ☐ 9. If you choose to accept DCS services, you must be willing to work at least part-time. If you are a full-time student during the school year, you must work during the summer.

__ 10. If you continue to receive DCS services, you will continue to be eligible for TennCare. Even after you are no longer receiving services, you may continue to receive TennCare depending on your income and if you have insurance through your employer.

__ 11. When you are no longer receiving residential services, you can be referred to an aftercare support group if one is located in your area. Aftercare services can help you be successful in moving out of care and into the community. A staff member from the aftercare program can either meet with you personally or by phone or mail (if distance is a problem) to discuss services.

__ 12. You need to take the contents of your life story book and all of your belongings when you leave.

I have read the above statements and have discussed any questions with my DCS case manager.

Young Adult's Signature: _____ Date: _____

Case Manager's Signature: _____ Date: _____

Department of Children's Services
Justification for Providing Services to Persons Over 18

Name: _____ DOB _____ Date of Custody: _____

County: _____ Case Manager: _____

Current Placement: _____ Level of Care: _____

1. Status at Removal

Reason Entered Care (Check all that apply.): Phy.Ab. ☐ Sex Ab. ☐ Neglect ☐ Unruly ☐ Truant ☐
Abandoned ☐ Other, Please Specify _____

Adjudication at Removal: (Check One) D&N ☐ Unruly ☐ Delinquent ☐ Abuse ☐ Severe Abuse ☐

Additional adjudication since being in care? Yes ☐ No ☐ If so, what? _____

2. Education Plan: Describe the young adult's educational plan

Target Date for Completion: _____ Target Date for Re-evaluation: _____

Where will the person live while in a post secondary program? _____

Has a budget been developed? Yes ☐ No ☐

Post Secondary Funding Source: _____

3. Employment: Does the person work? Yes ☐ No ☐ Part-time ☐ Full Time ☐ # of hours/week _____

Summer Employment Only ☐

4. Comment on Availability of Family and other supports.

5. Mental Status: Is person mentally retarded? Yes ☐ No ☐ If so, what is IQ? _____

Date referred to Mental Retardation Resource Pool? _____

Is this person mentally ill? Yes ☐ No ☐ If so, what is DSM IV diagnosis? _____

Is person physically challenged? Yes ☐ No ☐ Describe _____

Does this person have the ability to: consent to his/her own medical care? Yes ☐ No ☐

consent to the permanency plan? Yes ☐ No ☐

manage his/her money?

Yes __ No ____

If the answer is *no* to any of the last three questions, then a conservator must be appointed for the young adult by the time he/she turns 18.

6. Independent Living Goals

List the remaining independent living goals for the young adult and give target dates.

How will the present placement support the young adult as he/she pursues the independent living goal?

Submitted by: _____ Date: _____

Name of Case Manager

Approved by: _____ Date: _____

Name of Supervisor